



11/11/04 AF 1/647 \$
Atty. Docket No. FAH02 P-300A

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

May 13, 2004

Date

Deborah A. Witvoet
Deborah A. Witvoet

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1647
Examiner : Regina M. DeBerry
Applicant : Gregory M. Fahy, Ph.D.
Appln. No. : 09/933,309
Filing Date : August 20, 2001
Confirmation No. : 7331
For : GROWTH HORMONE THERAPY AND RELATED
METHODS AND PHARMACEUTICAL COMPOSITIONS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed January 13, 2004 finally rejecting claims 16-22 and 32-34.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

☐ other than a small entity
☒ small entity

Verified Statement

☐ attached
☒ previously submitted on August 20, 2001.

05/19/2004 SLUANG1 00000004 09933309 165.00 OP
01 EP:2401 55.00 OP
02 FC:2251

05/18/2004 SLUANG1 00000004 09933309 165.00 OP
01 FC:2401 55.00 OP
02 FC:2251

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2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b) the fee for filing the Notice of Appeal is:

X small entity
___ other than a small entity

Notice of Appeal fee due: \$165.00

3. EXTENSION OF TIME

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(a) X Applicant petitions for an extension of time under 37 C.F.R. §§1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<u>X</u> one month	\$110.00	\$55.00
___ two months	\$420.00	\$210.00
___ three months	\$950.00	\$475.00
___ four months	\$1480.00	\$740.00

Fee: \$55.00

If an additional extension of time is required please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$165.00
Extension fee (if any): \$ 55.00

Total Fee Due: \$220.00

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5. FEE PAYMENT

X Attached is a check in the sum of \$220.00

— Charge Account No. 16 2463 the sum of \$
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

X If any additional extension and/or fee is required charge Account No. 16 2463.

and/or

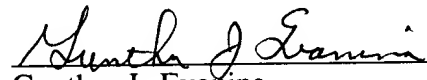
X If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,

GREGORY M. FAHY, PH.D.

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

May 13, 2004
Date


Gunther J. Evanina
Registration No. 35 502
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610

GJE/daw